



EV162218371US

07-31-03

RCE/2800

PTO/SB/30 (01-03)

Approved for use through 04/30/2003. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**Request  
For  
Continued Examination (RCE)  
Transmittal**Address to:  
Commissioner for Patents  
Box RCE  
Washington, DC 20231

|                        |                      |
|------------------------|----------------------|
| Application Number     | 09/648,071           |
| Filing Date            | August 25, 2000      |
| First Named Inventor   | David Yinkai Chao    |
| Art Unit               | 2873                 |
| Examiner Name          | Dang, Hung Xuan      |
| Attorney Docket Number | 62188.TBA (7115.019) |

#17/EDTC3  
RCE  
7/30/03

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

**1. Submission required under 37 CFR 1.114**a. ☒ Previously submitted

- i. ☒ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on November 13, 2002  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_

b. ☐ Enclosed

- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/ Declaration(s)

- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

**2. Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

**3. Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.  
The Director is hereby authorized to charge the following fees, or credit any overpayments, to

a. ☒ Deposit Account No. 502458

- i. ☒ RCE fee required under 37 CFR 1.17(e) 08/01/2003 BSAYASI1 00000099 502458 09648071
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:2801 375.00 DA
- iii. ☐ Other \_\_\_\_\_

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosedc. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

|                   |                          |                                   |           |
|-------------------|--------------------------|-----------------------------------|-----------|
| Name (Print/Type) | Barry J. Schindler, Esq. | Registration No. (Attorney/Agent) | 32,938    |
| Signature         |                          | Date                              | 7/30/2003 |

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

|                   |                  |      |           |
|-------------------|------------------|------|-----------|
| Name (Print/Type) | Randi Flamenbaum | Date | 7/30/2003 |
| Signature         |                  |      |           |

Page 1 of 2

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Box RCE, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

08/19/2003 AJOHNSD1 00000003 502458 09648071

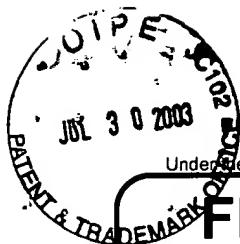
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# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 375

## Complete if Known

Application Number 09/648,071  
Filing Date 8/25/2000  
First Named Inventor David Yinkai Chao  
Examiner Name Dang, Hung Xuan  
Art Unit 2873  
Attorney Docket No. 62188.TBA(7115.019)

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number Greenberg Traurig/Contour

Deposit Account Name 502458

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☐ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description        | Fee Paid |
|----------------------------|----------------------------|------------------------|----------|
| 1001 750                   | 2001 375                   | Utility filing fee     |          |
| 1002 330                   | 2002 165                   | Design filing fee      |          |
| 1003 520                   | 2003 260                   | Plant filing fee       |          |
| 1004 750                   | 2004 375                   | Reissue filing fee     |          |
| 1005 160                   | 2005 80                    | Provisional filing fee |          |
| SUBTOTAL (1) (\$ )         |                            |                        |          |

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims  -20\*\* =  X  =   
Independent Claims  -3\*\* =  X  =   
Multiple Dependent  =

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description  |
|----------------------------|----------------------------|--|
| 1202 18                    | 2202 9                     | Claims in excess of 20                                     |
| 1201 84                    | 2201 42                    | Independent claims in excess of 3                          |
| 1203 280                   | 2203 140                   | Multiple dependent claim, if not paid                      |
| 1204 84                    | 2204 42                    | ** Reissue independent claims over original patent         |
| 1205 18                    | 2205 9                     | ** Reissue claims in excess of 20 and over original patent |
| SUBTOTAL (2) (\$ )         |                            |  |

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description  |
|----------------------------|----------------------------|--|
| 1051 130                   | 2051 65                    | Surcharge - late filing fee or oath  |
| 1052 50                    | 2052 25                    | Surcharge - late provisional filing fee or cover sheet                     |
| 1053 130                   | 1053 130                   | Non-English specification  |
| 1812 2,520                 | 1812 2,520                 | For filing a request for ex parte reexamination                            |
| 1804 920*                  | 1804 920*                  | Requesting publication of SIR prior to Examiner action                     |
| 1805 1,840*                | 1805 1,840*                | Requesting publication of SIR after Examiner action                        |
| 1251 110                   | 2251 55                    | Extension for reply within first month                                     |
| 1252 410                   | 2252 205                   | Extension for reply within second month                                    |
| 1253 930                   | 2253 465                   | Extension for reply within third month                                     |
| 1254 1,450                 | 2254 725                   | Extension for reply within fourth month                                    |
| 1255 1,970                 | 2255 985                   | Extension for reply within fifth month                                     |
| 1401 320                   | 2401 160                   | Notice of Appeal   |
| 1402 320                   | 2402 160                   | Filing a brief in support of an appeal                                     |
| 1403 280                   | 2403 140                   | Request for oral hearing   |
| 1451 1,510                 | 1451 1,510                 | Petition to institute a public use proceeding                              |
| 1452 110                   | 2452 55                    | Petition to revive - unavoidable   |
| 1453 1,300                 | 2453 650                   | Petition to revive - unintentional   |
| 1501 1,300                 | 2501 650                   | Utility issue fee (or reissue)   |
| 1502 470                   | 2502 235                   | Design issue fee   |
| 1503 630                   | 2503 315                   | Plant issue fee  |
| 1460 130                   | 1460 130                   | Petitions to the Commissioner  |
| 1807 50                    | 1807 50                    | Processing fee under 37 CFR 1.17(q)  |
| 1806 180                   | 1806 180                   | Submission of Information Disclosure Stmt                                  |
| 8021 40                    | 8021 40                    | Recording each patent assignment per property (times number of properties) |
| 1809 750                   | 2809 375                   | Filing a submission after final rejection (37 CFR 1.129(a))                |
| 1810 750                   | 2810 375                   | For each additional invention to be examined (37 CFR 1.129(b))             |
| 1801 750                   | 2801 375                   | Request for Continued Examination (RCE)                                    |
| 1802 900                   | 1802 900                   | Request for expedited examination of a design application                  |

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 375

## SUBMITTED BY

Name (Print/Type) Barry J. Schindler

Registration No. 32,938  
(Attorney/Agent)

(Complete if applicable)

Telephone 212-801-2244

Signature

*Barry J. Schindler*

Date 7/30/2003

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**APPLICANT:** David Yinkai Chao  
**SERIAL NO.:** 09/648,071  
**FILED:** August 25, 2000  
**ATTY. DOCKET:** 62188.TBA (7115..019)  
**TITLE:** **EYEGLOSS COMBINATION HAVING AUXILIARY  
FRAME**

**EXPRESS MAIL CERTIFICATE**

Express Mail Label No. EV 162218371 US


Date of Deposit: July 30, 2003

I hereby certify that the following attached paper(s) and/or fee

- (1) Request for Continued Examination (RCE) Transmittal;
- (2) Fee Calculation sheet;
- (3) Authorization to Deduct the amount of \$375.00 from the deposit account 502458;
- (4) Change of Address form;
- (5) A self-addressed stamped postcard, return of which is requested to acknowledge receipt of the enclosed documents.

are being deposited with the United States Postal Service Express Mail Post Office to Addressee service under 37 C.F.R. Section 1.10 on the date indicated above and is addressed to Mail Stop RCE; Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Respectfully submitted,  
**GREENBERG TRAURIG, LLP**

  
Randi Flamenbaum  
Legal Assistant

Dated: July 30, 2003

**CORRESPONDENCE:**

Barry J. Schindler, Esq.  
**GREENBERG TRAURIG, LLP**  
885 Third Avenue, 21<sup>st</sup> Floor  
New York, NY 10022  
Tele: (212) 801-2100  
Fax: (212) 688-2449

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